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Rec'd 4/5/2001  
Timothy  
Bumpert

## Jefferson County

### Zoning Regulation Text and Map Amendment Application Form

Applicant(s): TIMOTHY L. BOMPART

Address: 9 520 63RD RD, STE. M, REGO PARK, NY 11374-1145

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Property Owner(s): - SAME -

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Agent/Representative(s): TONY PROTHERO, J-Bar T Engineers

Address: P.O. Box 7895, HELENA, MT 59604

Phone: (406) 439-8027, (406) 449-1306

Email: tony@jbartengineers.com

Zoning district in question: NORTH JEFFERSON COUNTY

#### Required Information for Zoning Regulation Text Amendments:

Please check with the Planning Department for the correct number of copies of the application materials.

1. Statement and supporting documentation addressing all Zoning Amendment Evaluation criteria, as discussed in this application form.

Attached

2. Proposed modification of the zoning regulation text, including section and page numbers.

NO MODIFICATION PROPOSED. MAP CHANGE ONLY.

**Required Information for All Zoning Amendments:**

1. General description of property: Holmes CAULCH RD
2. Legal description of property: NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, W<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> <sup>S.8, T9N, R3W</sup>
3. Geo-Code: 51-1785-08-1-01-01-0000
4. Current zoning designation: BASIC RESOURCE
5. Current use: Undeveloped
6. Proposed zoning designation: R-3
7. Proposed use: RESIDENTIAL, 1 UNIT / 5-10 ACRES
8. Covenants or deed restrictions on property? Yes ☒ No  
If yes, attach a copy.
9. Application fee (\$150.00). (checks payable to Jefferson County)
10. Required attachments:
  - a. Statement and supporting documentation addressing all Zoning Amendment Evaluation Criteria, as found under 76-2-203, MCA
  - b. Application fees. (check payable to Jefferson County)

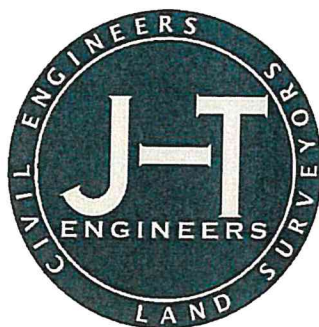
I hereby certify that the information on and attached to this application is true and correct.

I understand the fees for this application are not refundable.

Tim L. Reyna 12/10/20  
Applicant's signature Date

Timothy L. Reyna 12/10/20  
Property owner's signature Date

Rec'd  
8/16/2021



July 11, 2021

LaDana Hintz, Planner  
Jefferson County Planning Department  
P.O. Box H  
Boulder, MT 59632

**RE: Bompert Zone Map Amendment  
North Jefferson County Zoning Regulations  
Jefferson County**

Dear LaDana:

The purpose of this letter is to formally request a zone map amendment (ZMA) of the North Jefferson County Zoning Regulations (NJCZ) for the Timothy Bompert property on Holmes Gulch Road. The property is described below:

Geocode	Legal Description	Area (acres)
51-1785-08-1-01-01-0000	S08, T09 N, R03 W NE4NE4, W2NE4, E2NW4, NE4SW4, NW4SE4	280

The parcel is presently zoned Basic Resources (mapping unit Basic R\_a). The total area of the subject property is 280 acres which represents approximately 9% of the total area of zone mapping unit Basic R\_a. The proposed ZMA is to change the zoning designation of the subject property to R-3 which would represent an approximate 17% increase in the total area of adjoining mapping unit R3\_a.

The purpose of the proposed ZMA is to allow the subject property to be developed into smaller, more manageable homesites with a maximum density of one dwelling unit per 5-10 acres.

**Key Issues.** The main issues regarding development in this area are

- a) Access;
- b) Fire protection;
- c) Water availability;
- d) Septic system suitability; and
- e) Slope.

Mitigation of these key issues would occur via future subdivision application(s).

**BOMPART ZONE MAP AMENDMENT  
NORTH JEFFERSON COUNTY ZONING REGULATIONS  
JEFFERSON COUNTY**

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Note that the proposed ZMA does not guarantee that the entire subject property would be fully developed to the maximum allowable density in R- 3; it simply allows for development to occur in a manner that is consistent with the adjacent areas and at a reasonable density for homesites, but not at a density greater than one dwelling unit per 5- 10 acres.

The Evaluation Criteria for Amendments to Zoning Regulations are addressed in the following:

**1. General Criteria.**

- a. How will the proposed amendment serve the public interest?

**The intention of the proposed ZMA is to increase the availability of building sites within close proximity to the City of Helena.**

- b. Are there any reasons that prevent use of the property for any of the uses currently allowed under the existing zoning?

**Basic Resource specifies a density of one unit per 160 acres which is impractical for single- family dwellings. The proposed zoning changes this to R- 3 which allows a maximum density of 1 per 5- 10 acres.**

- c. Describe the need/demand for the intended use of the property at this location.

**The amount of developable land in Northern Jefferson County is declining; however, there is significant demand for new building sites. This demand is not expected to diminish within the near future.**

**2. Statutory Criteria and Guidelines for Zoning Regulations**

- a. Zoning regulations must be made in accordance with the Growth Policy.

**There are no changes to zoning regulation text. An existing area zoned R- 3 will be expanded to allow for increased development. The proposed zone map amendment does not conflict with the County Growth Policy.**

- b. Zoning regulations must be designed to:

- i. Secure safety from fire and other dangers;

**The subject property is situated within the Montana City Volunteer Fire District. The nearest water source is on Martinez Gulch Road consisting of 40,000 gallons of water storage that gravity flows to an existing fire hydrant. Improvements and or additional water storage in this area should be done in conjunction with future subdivision(s). Landowners should also**



**employ fire mitigation techniques and best management practices (BMP's) to create defensible space around building sites.**

- ii. Promote public health, public safety, and general welfare; and

**Public health, public safety, and general welfare will be promoted as all new roads must meet Jefferson County Road Standards. New wells, drainfields and storm water facilities must meet Jefferson County and DEQ standards. Landowners must also employ sufficient fire mitigation BMP's.**

- iii. Facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

**Increased development increases land values thereby also raising tax revenues that can be used to improve transportation, water, sewerage, schools, parks, and other public facilities.**

- c. In the adoption of zoning regulations, the County Commission shall consider:

- i. Reasonable provision of adequate light and air;

**The proposed zone map amendment will have no significant impact to light and air resources.**

- ii. The effect on motorized and non- motorized transportation systems;

**The proposed ZMA will cause increased development in the area. Increased maintenance of motorized and non- motorized transportation systems will result due to increased usage/traffic. New development also increases tax revenues that can be used to maintain/improve motorized and non- motorized transportation systems.**

- iii. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities;

**The nearest cities and towns are Helena and East Helena. The proposed ZMA is compatible with the adjacent land uses and these municipalities.**

- iv. Character of the district and its peculiar suitability for particular uses; and

**The district in this area consists of undeveloped lands and larger rural home sites. The proposed ZMA is consistent with existing land uses in the area.**

- v. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.

**R- 3 zoning encourages low density residential development as has occurred in much of the adjoining area. This is believed to be the highest and best use of land. This will also conserve or enhance the value of other area properties.**

- d. Zoning regulations must, as nearly as possible, be made compatible with zoning ordinances of nearby municipalities.

**The nearest zoned areas include the Helena Valley Planning Area and the City of Helena. The proposed R- 3 zoning has a similar density to the Rural/Mixed Use zoning of the Helena Valley Planning Area. Helena City Limits are approximately 0.5 miles from the property at this time; the subject property is not contiguous with the City of Helena.**

- 3. Zoning Regulation Criteria. Amendments to the zoning regulation or official zoning map must be consistent with each of the following provisions found in the zoning regulation:

- a. The overall purpose and intent of the zoning regulation as found in Section 1.2 of the regulations.

**"The purpose of the North Jefferson County zoning regulations is: to promote health, safety, and general welfare of the community; to protect property values; to protect and conserve natural resources; to provide adequate accommodations for transportation of people, goods, and emergency response services; to provide for the management of adequate light and air; to facilitate the provisions for public works and requirements such as schools, water, sewer, and environmental needs; to ensure orderly development according to the County Growth Policy; to regulate and restrict undue concentrations of population and overcrowding of the land; to determine and define the location and use of buildings, structures, and the appropriate uses of land for basic resource, residential, commercial, industrial, and/or other purposes; and to preserve the character and protect the aesthetic resources of Jefferson County."**

**The proposed ZMA does not conflict with the overall purpose and intent of Section 1.2 of the regulations.**

- b. The purpose intent of the individual zoning classification proposed for amendment as found in these regulations. (See the purpose statement for appropriate zoning classification commercial or residential etc.)

**R- 3. The purpose of this classification is to:**

**BOMPART ZONE MAP AMENDMENT  
NORTH JEFFERSON COUNTY ZONING REGULATIONS  
JEFFERSON COUNTY**

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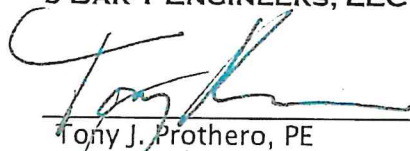
1. Encourage well planned residential development with a dwelling density less than 1 dwelling unit per 5.0 acres to less than 10.0 acres in reasonable proximity to basic public services;
2. Provide for substantial open space and generally preserve the viewshed;
3. Provide for a planned roadway system including adequate access for emergency response services;
4. Plan and provide for community health and safety;
5. Maintain community character;
6. Retain and augment community amenities; and
7. Protect and preserve environmental quality.

The proposed ZMA is consistent with the purpose of the R- 3 zoning designation.

Please feel free to contact me should you have questions or comments via email at [tony@jbartengineers.com](mailto:tony@jbartengineers.com) or telephone at (406) 449- 1306. Thank you.

Sincerely,

**J B A R T ENGINEERS, LLC**

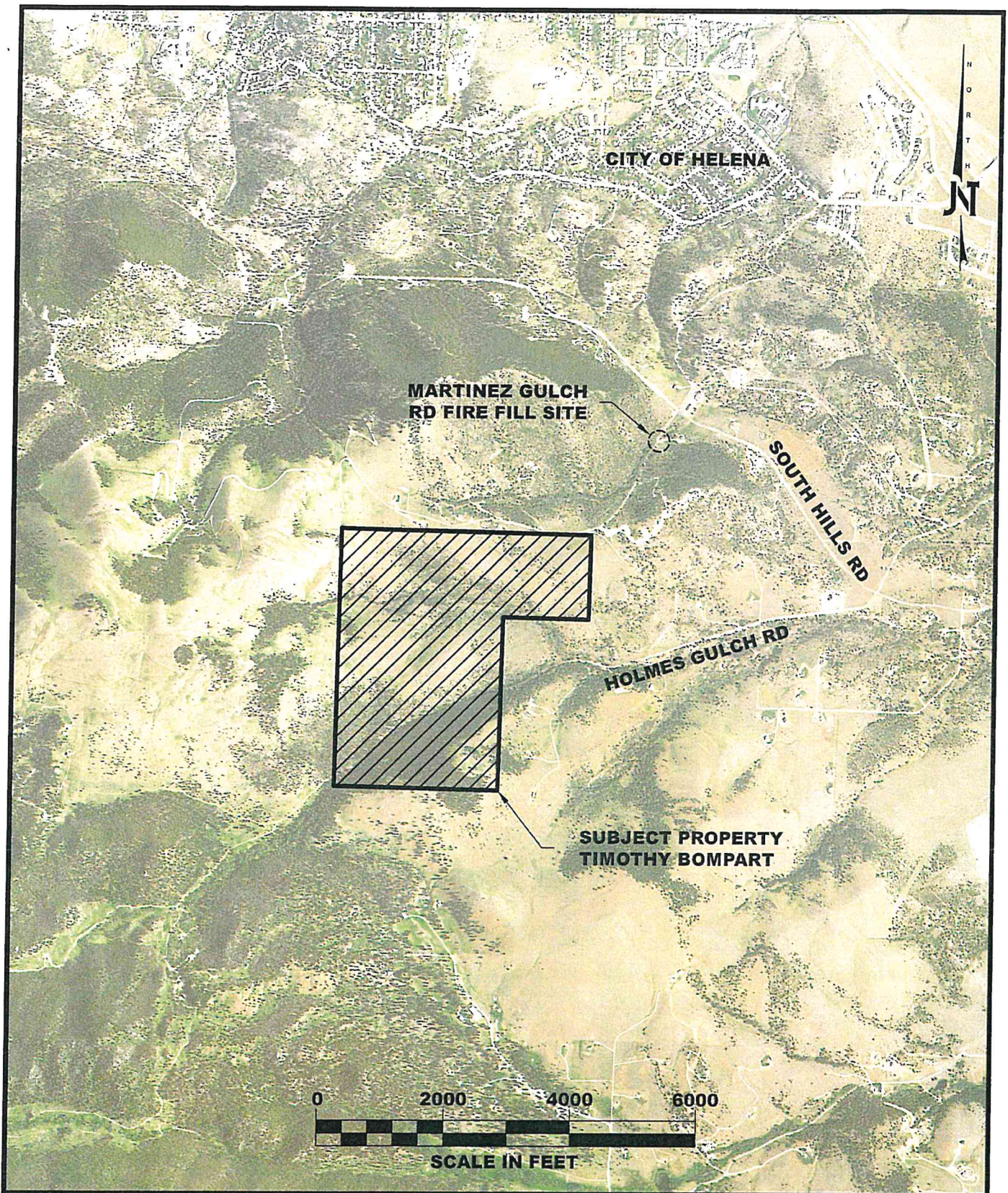
  
\_\_\_\_\_  
Tony J. Prothero, PE

Attachments:

Zoning Regulation Text and Map Amendment Application Form (2)  
Figure 1 - Vicinity Map  
Sheet Z1 - Proposed Zone Map Amendment

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Bompert Zone Map Amendment  
**VICINITY MAP**  
JEFFERSON COUNTY, MONTANA

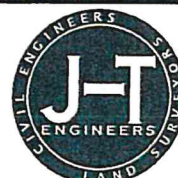


Figure 1

J BART ENGINEERS, LLC  
1093 HELENA AVE.  
HELENA, MT 59601  
(406) 449-1306  
JBARTENGINEERS.COM

07/2021

20-135



